

IN THE UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF PENNSYLVANIA

RENEE ZINSKY,

Plaintiff,

vs.

MICHAEL RUSSIN, RUSSIN FINANCIAL,  
RUSSIN GROUP, SIMON ARIAS, III, ARIAS  
AGENCIES, S.A. ARIAS HOLDINGS, LLC,  
AMERICAN INCOME LIFE INSURANCE  
COMPANY,

Defendants.

Civil Action

No. 2:22-cv-547

**PLAINTIFF'S SUPPLEMENTAL  
RESPONSE AND RETRACTION TO  
DEFENDANT'S MOTION FOR  
SANCTIONS**

FILED ON BEHALF OF PLAINTIFF

Counsel of Record for This Party:

Janice M. Savinis, Esquire  
PA ID #51943

John R. Kane, Esquire  
PA ID #83771

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PA ID #92859

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**PLAINTIFF'S SUPPLEMENTAL RESPONSE AND RETRACTION  
TO DEFENDANT'S MOTION FOR SANCTIONS**

AND NOW comes Plaintiff, Renee Zinsky, by and through her attorneys, Amy  
Williamson, Esquire, John R. Kane, Esquire and the law firm of Savinis, Kane, & Gallucci,  
L.L.C. and files the following supplemental response and retraction to the motion for sanctions:

1. In paragraph 20 of Plaintiff's response to Defendant Arias' Motion for Sanctions,

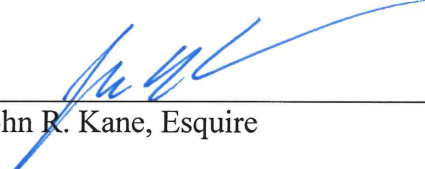
It should also be noted that this affidavit was also used in conjunction with  
Plaintiff's EEOC claim, and was submitted in that matter by the *Defendant*  
*AIL*.

2. The undersigned counsel was not involved in the EEOC claim, with he and his firm having  
only entered their appearance in this matter this summer. In making the above  
representation, counsel reviewed a document production, specifically Zinsky 004520  
through 004563, which had an EEOC submission by AIL, along with six exhibits. Based  
on the document production it appeared as though the affidavit of Ms. Hemingway was  
included in AIL's Exhibit 6 to that submission. The documents produced purported to

indicate that the above representation in paragraph 1 (from original paragraph 20 of Plaintiff's response) herein was correct.

3. However, on this day, July 28, 2023, the undersigned was contacted by counsel for AIL, requesting the origin of the above representation. After relaying the above information, counsel for AIL convinced the undersigned that the representation was not accurate, and could not be accurate, based on the dates of the EEOC submission and the affidavit, regardless of how things may have appeared from the documents produced at Zinsky004520 through Zinsky004563.
4. As a result of the above, Plaintiff hereby **retracts** paragraph 20 of Plaintiff's Response to Defendant Arias' Motion for Sanctions. Counsel concedes that the Hemingway affidavit was not submitted to the EEOC by AIL. Counsel apologizes for the error.

Respectfully Submitted,



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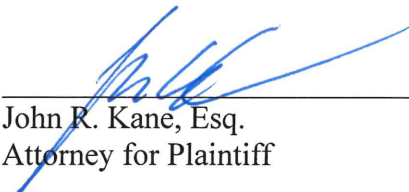
John R. Kane, Esquire

**CERTIFICATE OF SERVICE**

I, John R. Kane, Esquire, hereby certify that a true and correct copy of Plaintiff's Supplemental Response and Retraction to Defendant Arias' Motion for Sanctions was electronically served upon counsel of record on this 28<sup>th</sup> day of July 2023 via email, addressed as follows:

Benjamin D. Webb, Esq. Cozza Law Group PLLC 400 Holiday Drive, Suite 210 Pittsburgh, PA 15220 <a href="mailto:bwebb@cozzalaw.com">bwebb@cozzalaw.com</a> <i>Counsel for Russin Defendants</i>	Jean E. Novak, Esq. Strassburger, McKenna, et al Four Gateway Cntr, Ste 2200 444 Liberty Ave. Pittsburgh, PA 15222 <a href="mailto:jnovak@smgglaw.com">jnovak@smgglaw.com</a> <i>Counsel for Arias Defendants</i>	Andrea Kirshenbaum, Esq. Littler Mendelson, PC 1601 Cherry St., Ste 1400 Philadelphia, PA 19102 <a href="mailto:akirshenbaum@littler.com">akirshenbaum@littler.com</a> <i>Counsel for AIL</i>
Amy Williamson, Esq. Williamson Law LLC 355 Parkway Drive Pittsburgh, PA 15228 <a href="mailto:awilliamson@awilliamsonlaw.com">awilliamson@awilliamsonlaw.com</a> <i>Counsel for Plaintiff Renee Zinsky</i>		David B. White, Esq. BURNS WHITE 48 26 <sup>th</sup> Street Pittsburgh, PA 15222 <a href="mailto:dbwhite@burnswhite.com">dbwhite@burnswhite.com</a> <i>Mediator</i>

SAVINIS, KANE, & GALLUCCI, L.L.C.



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John R. Kane, Esq.  
Attorney for Plaintiff